



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**LAW AND JUSTICE**

Tuesday, November 28, 2017                      9:00 a.m.                      Room 327 House Office Building

The House Standing Committee on Law and Justice was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of November 7, 2017. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

HB 5222 (Albert)	Marihuana; other; requirement for health warning labels on marihuana products sold in Michigan; provide for.
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Representative Albert testified in support of the bill.

The following people submitted a card in support of the bill, but did not wish to speak:

Bree Anderson, representing the Michigan Council for Maternal and Child Health.  
Paul Stankewitz, representing the Michigan Catholic Conference.

Chairman Kesto laid the committee at ease, the time being 9:20 a.m.

Vice-Chairman Lucido took the gavel and called the committee back to order, the time being 9:21 a.m.

Vice-Chairman Lucido laid the following bill before the committee:

HB 5216 (Kesto)	Civil procedure; other; list of prisoner actions dismissed as frivolous; eliminate.
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Chairman Kesto and Tom Clement, representing the State Court Administrative Office, testified together in support of the bill. Questions and discussion followed.

Vice-Chairman Lucido laid the committee at ease, the time being 9:26 a.m.

Vice-Chairman Lucido called the committee back to order, the time being 9:28 a.m.

Vice-Chairman Lucido laid the following bill before the committee:

HB 5234 (Howrylak)	Corrections; jails; medical probation based on physical or mental incapacity and compassionate release based on imminent death; allow.
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Representative Howrylak and Chairman Kesto testified together in support of the bill. Questions and discussion followed.

The following people submitted a card in support of the bill, but did not wish to speak:

Jason Smith, representing the Michigan Council on Crime and Delinquency.

Aaron Suganuma, representing Nation Outside.

Kim Buddin, representing the American Civil Liberties Union of Michigan.

John S. Cooper, representing the Citizens Alliance on Prisons and Public Spending.

Ben Bodkin, representing the Michigan Sheriffs' Association.

Michael J. Bouchard, Oakland County Sheriff, and submitted written testimony.

Vice-Chairman Lucido laid the following bills before the committee:

HB 5243 (Kesto)	Corrections; parole; requirement for psychological examination prior to parole hearing; modify procedure.
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HB 5244 (Kesto)	Mental health; other; time limitation on completion of examination to evaluate issue of incompetence to stand trial; implement.
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HB 5245 (Kesto)	Corrections; prisoners; transfer of prisoners for medical treatment under certain circumstances; allow.
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HB 5246 (Kesto)	Mental health; facilities; examination to evaluate issue of incompetence to stand trial; modify process and expand certain resources.
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Chairman Kesto testified in support of the bills. Questions and discussion followed.

Vice-Chairman Lucido laid the committee at ease, the time being 10:00 a.m.

Chairman Kesto took the gavel and called the committee back to order, the time being 10:01 a.m.

Seema Sadanandan and Troy Cumings, both representing the Alliance for Safety and Justice, testified in support of the bills. Questions and discussion followed.

Kyle Kaminski, representing the Michigan Department of Corrections, testified with a neutral position on HB 5245.

Jase Bolger, representing the West Michigan Policy Forum, submitted a card in support of the bills, but did not wish to speak.

John S. Cooper, representing the Citizens Alliance on Prisons and Public Spending, submitted a card in support of HB 5244 and HB 5246, but did not wish to speak.

Jason Smith, representing the Michigan Council on Crime and Delinquency, submitted a card in support of HB 5245, but did not wish to speak.

Chairman Kesto laid the following bills before the committee:

SB 72	(Bieda)	Corrections; parole; parole eligibility for certain controlled substance offenders; modify.
SB 73	(Bieda)	Crimes; controlled substances; parole eligibility for certain controlled substance offenders; modify.
SB 220	(Bieda)	Criminal procedure; sentencing guidelines; sentencing guidelines for certain repeat drug offenses; amend to reflect changes in public health code.

Jason Smith, representing the Michigan Council on Crime and Delinquency, submitted a card in support of the bills, but did not wish to speak.

Representative Graves moved to report out SB 72 with recommendation. The motion prevailed, the vote being 12-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Nays: None.

Pass: None.

Representative Lucido moved to report out SB 73 with recommendation. The motion prevailed, the vote being 12-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Nays: None.

Pass: None.

Representative Albert moved to report out SB 220 with recommendation. The motion prevailed, the vote being 12-0-0.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Nays: None.

Pass: None.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 10:28 a.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

Melissa Weipert, Committee Clerk  
House Law and Justice Committee  
mweipert@house.mi.gov  
(517) 373-5176